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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Robert Pintado,

Plaintiff

v.

Maywood Police Department, et al.,

Defendants

Case No. 2:18-cv-00991-JAD-CWH

**Order Adopting Report and
Recommendation**

[ECF No. 5]

Pro se plaintiff and California resident Robert Pintado brings this case against California's Maywood Police Department and Maywood City Hall for return of his personal property and for an apology. The magistrate judge has screened his claims and recommends that I dismiss them with leave to amend because, although Pintado states that this court has diversity jurisdiction over this case, he does not allege the parties' citizenship or the amount in controversy so that this court can confirm that it has jurisdiction to hear this matter.¹ The deadline for objections to that recommendation passed without objection or any request to extend the deadline to file one.² "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."³

IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation [ECF No. 5] is **ADOPTED** in full;

¹ ECF No. 5.

² Although Pintado did submit what appears to be a letter to the court, it does not identify any objection to, or error in, the recommendation. See ECF No. 7.

³ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 IT IS FURTHER ORDERED THAT **Pintado's complaint is DISMISSED for lack of**
2 **subject-matter jurisdiction and with leave to amend** if he can plead true facts to show that
3 there is diversity of citizenship (i.e., that the plaintiff is from a different state than each of the
4 defendants) and that the value of this case exceeds \$75,000, as contemplated by 28 U.S.C. §
5 1332; or that this case presents a federal question as contemplated by 28 U.S.C. § 1331. If
6 plaintiff chooses to file an amended complaint, he is advised of the following:

7 • An amended complaint supersedes the original complaint, so the amended
8 complaint must be complete in itself. This means that the amended complaint must
9 contain all claims, defendants, and factual allegations that plaintiff wishes to pursue
10 in this lawsuit.

11 • Plaintiff must separate out his various causes of action and must include
12 within each cause of action all of the facts to support each element of it. Plaintiff
13 should review the form complaints available at [https://www.uscourts.gov/forms/pro-](https://www.uscourts.gov/forms/pro-se-forms/complaint-civil-case)
14 [se-forms/complaint-civil-case](https://www.uscourts.gov/forms/pro-se-forms/complaint-civil-case) to understand the general format for proper complaints.

15 • **If plaintiff chooses to file an amended complaint, he must file it by**
16 **September 6, 2019.** If plaintiff does not file an amended complaint or fails to file it
17 by this court-ordered deadline, this case will be deemed abandoned and it will be
18 closed.

19 Dated: August 19, 2019

20 
21 U.S. District Judge Jennifer A. Dorsey
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23